

REMARKS

Claim 1-21 remain pending in the application. Of these, claims 5, 6, 10 and 21 are withdrawn from consideration and claims 1, 15 and 19 are currently amended.

Claims 1, 7-9, 11, 12-14, 19 and 20 are rejected in various combinations under 35 U.S.C. §102(b) or 35 U.S.C. §103(a) based on Mastrorio et al. U.S. 5,849,014.

Claims 1, 2, 7-9, 11, 14 and 19 are rejected under 35 U.S.C. §102(a) based on Marchosky U.S. 6,582,446 (Marchosky '446). The subject matter of Marchosky '446 was first patented or described in a printed publication on the issue date of Marchosky '446, June 24, 2003. The Applicant's date of invention as to the claimed subject matter is as least as early as the instant application's effective filing date of April 7, 2000. Therefore, Applicant does not believe that Marchosky '446 is a §102(a) reference with respect to the instant application. Applicant believes the Examiner intended this rejection based on Marchosky '446 to be made under 35 U.S.C. §102(e) and responds accordingly. Applicant respectfully requests clarification. Claims 3, 4, 12, 13, 15-18 and 20 are rejected under 35 U.S.C. 103(a) based on Marchosky '446.

Claims 1, 15, and 19 have been amended to overcome these rejections. The cited references, alone or in combination, do not teach or suggest a method in which a substantially rigid surface is introduced adjacent an expandable device and along the longitudinal axis of the expandable device, as defined by amended claim 1. The cited references also do not teach or suggest a device or method in which a platform extends from the distal end of a device and along the longitudinal axis of the device, as defined by amended claims 15 and 19.

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Amendment A

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Reconsideration in view of the foregoing amendments and remarks is respectfully requested. Upon allowance of a generic claim, Applicant requests consideration of withdrawn claims 5, 6, 10 and 21.

Respectfully Submitted,

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25 May 2004

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Kypkon/17208/17208-FOR/040523 Amend A

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